IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Contempt petn No. 6l of 2005

The Suruchi Coop Housing Society Ltd.. petitioners
vs
Dy Registrar P Ward Coop Societies
and ors.. ... respondents

Mr V.M.Parshurami i/b S M Shettigar for petitioners
Mr A.H.Palekar AGP for State
Mr.Mahesh J Vora respondent no. 4 present in person

CORAM; A.M.KHANWILKAR J.

DATED l3.4.2006

P.C.

l. Heard the learned counsel for the parties. Perused the pleading on record. The grievance of the petitioners in this contempt action is that inspite of the status quo order passed by this court on 2l.7.2004 in Writ Petition No.3702 of 2004, in which proceedings the petitioners have challenged the legality and validity of the order passed by the Secretary, Cooperation Department dated 5.3.2004 and the order dated 20.3.2003 passed by the Dy Registrar P Ward Coop Societies. The original proceedings pertain to initiation of action under section 78 of the Coop Societies Act. In other words, the writ petition which is pending

before this court in which an order of status quo has been granted in favour of the petitioners, only means that the authority will not proceed with the proposed action of appointing administrator and handing over the affairs of the society to the board of administrators. The grievance of the petitioners is that after the order of status quo was passed by this court, the Dy Registrar, Coop Societies, (III) Mumbai has issued an order dated l6.8.2004 appointing special auditor for the period between 4.l.l999 to 3l.l2.2003. In my opinion, this proceeding have no causal connection with the dispute which is brought in this court in writ petition no. 3702 of 2004. The issue involved in both the proceedings are independent and can be proceeded with in accordance with law. In other words, the proposed action of the authority to proceed to appoint the special auditor in no way amounts to wilful disobedience of the order of status quo passed by this court,which would warrant initiation of contempt proceedings. In the circumstances, there is no merit in this petition. Same is dismissed. Notices issued to the respondents stand discharged.